

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION**

**CHRISTOPHER MAX TOLSON,**

**Petitioner,**

**V.**

**Sheriff GREG COUNTRYMAN,**

**Respondent.**

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**NO. 4:24-cv-00115-CDL-AGH**

**ORDER OF DISMISSAL**

Petitioner Christopher Max Tolson, a pretrial detainee in the Muscogee County Jail in Columbus, Georgia, filed a 28 U.S.C. § 2241 habeas corpus petition. Pet. for Writ of Habeas Corpus., ECF No. 1. Petitioner also filed a motion for leave to proceed in this action *in forma pauperis*. Mot. for Leave to Proceed *In Forma Pauperis*, ECF No. 2. Because Petitioner’s documentation showed that he should be able to pay the \$5.00 filing fee, the United States Magistrate Judge denied leave to proceed *in forma pauperis* and gave Petitioner fourteen days to pay the filing fee. Order, ECF No. 4. Petitioner was informed that his failure to comply with the order may result in the dismissal of this case. *Id.*

More than fourteen days passed after that order was entered, and Petitioner did not pay the filing fee or otherwise respond to the order. Therefore, Petitioner was ordered to show cause to the Court why this case should not be dismissed based on his failure to pay the filing fee. Order to Show Cause, ECF No. 5. Petitioner was given fourteen days to respond and was cautioned that his failure to do so would likely result in the dismissal of

this action. *Id.*

More than fourteen days have now passed since the order to show cause was entered, and Petitioner has not responded to that order. Therefore, because Petitioner has failed to respond to the Court's orders or otherwise prosecute this case, his petition is now **DISMISSED WITHOUT PREJUDICE**. See Fed. R. Civ. P. 41(b); *Brown v Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) (per curiam) ("The court may dismiss an action sua sponte under Rule 41(b) for failure to prosecute or failure to obey a court order.") (citing Fed. R. Civ. P. 41(b) and *Lopez v. Aransas Cty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)).

**SO ORDERED**, this 16th day of December, 2024.

S/Clay D. Land  
CLAY D. LAND  
U.S. DISTRICT COURT JUDGE  
MIDDLE DISTRICT OF GEORGIA